SENATE FILE (PROPOSED COMMITTEE ON APPROPRIATIONS BILL BY CO=CHAIRPERSON ANGELO)

Passed	Senate,	Date	Passed	House,	Date	
Vote:	Ayes	Nays	Vote:	Ayes	Nays	
Approved				-	_	

A BILL FOR

- 1 An Act relating to local government innovation, providing appropriations, and including an effective date.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4 TLSB 3606XC 81
- 5 sc/cf/24

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2 16 pursuant to section 2.12.

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- Section 1. Section 8.64, Code 2005, is amended by striking 2 the section and inserting in lieu thereof the following:
 - 8.64 LOCAL GOVERNMENT INNOVATION COMMISSION.
- 1. A local government innovation commission is created 1 5 consisting of thirteen voting members and four nonvoting 1 6 members.
- $^{7}\,$ a. Voting members of the commission shall be appointed for 8 a term of three years as follows: 1 1
 - (1) One member representing the executive branch appointed 10 by the governor. 11
- (2) One member representing county government appointed by 1 12 the president of the Iowa state association of counties.
- (3) One member representing city government appointed by 1 14 the president of the Iowa league of cities.
- (4) One member representing community colleges appointed 1 15 1 16 by the president of the Iowa association of community college
- 1 17 presidents. 1 18 (5) One member representing the councils of governments 1 19 appointed by the president of the Iowa association of councils
- 1 20 of government. 21 (6) The administrator of the homeland security and 1 22 emergency management division of the Iowa department of public
- 1 23 defense. 24 The director of the department of economic development (7)
- 25 or the director's designee. 1 26 (8) Two members representing the general public appointed
 - 27 by the governor.
- 28 (9) Four members representing the general public, one each 1 29 appointed by each co-floor leader of the senate, the speaker 1 30 of the house of representatives, and the minority leader of 31 the house of representatives.
- 32 b. Four nonvoting members of the general assembly shall be 1 33 appointed for a term of two years commencing at the convening 34 of each general assembly, one each appointed by each co=floor 35 leader of the senate, the speaker of the house of 1 representatives, and the minority leader of the house of 2 representatives. However, initial appointments of members 3 under this paragraph shall be made on the effective date of
 - 4 this Act.
 - 2. a. Any vacancy shall be filled in the same manner as 6 regular appointments are made for the unexpired portion of the 7 regular term.
- 2 b. Members of the commission shall be allowed their actual 2 9 and necessary expenses incurred in the performance of their 10 duties. The members of the commission representing the 2 11 general public shall also be compensated as provided in 12 section 7E.6. Per diem and expenses paid to commission 13 members shall be paid from moneys appropriated to the local 2 14 government innovation fund, except that the per diem and 2 15 expenses of members of the general assembly shall be paid

2.17 The commission shall meet in September of each year for 2 18 the purpose of electing one of its voting members as 2 19 chairperson. However, the initial meeting of the commission 2 20 shall be held within sixty days of the effective date of this 2 21 Act. The commission shall meet at the call of the chairperson 2 21 Act. 22 or when a majority of the voting members of the commission 23 file a written request with the chairperson for a meeting. 24 Written notice of the time and place of each meeting shall be 2 25 given to each member of the commission.

d. A majority of the voting members of the commission 2 27 shall constitute a quorum. Any action taken by the commission 2 28 must be adopted by the affirmative vote of a majority of its

2 29 voting membership.

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The local government innovation commission shall be e. 31 considered part of the department of management. 2 32 department of management shall provide staff assistance and 33 administrative support to the commission.

The local government innovation commission shall, by 35 January 15, 2006, submit a report to the general assembly detailing a proposed request for results process. The process 2 shall focus on results, strategies, and desired outcomes for 3 community=wide areas. The report shall specify the indicators 4 to be used by the commission in quantifying the achievement of 5 a result as that result is described in an application for 6 approval of a proposed local governance and revenue model submitted to the commission. The report shall indicate the 8 criteria to be used by the commission in reviewing proposed local governance and revenue models. In developing a request 3 10 for results application and review process, the local 3 11 government innovation commission may request, and shall 3 12 receive, the assistance of the Iowa center for governing 3 13 excellence established pursuant to section 262.102.

Before September 1, 2006, the local government innovation 15 commission shall approve an application and review process for 3 16 proposed local governance and revenue models which implements 3 17 the request for results report in this subsection. 3 18 department of management shall adopt the commission's 3 19 application and review process by rule pursuant to chapter 3 20 17A.

On or before September 1, 2006, the local government innovation commission shall provide to the president of each 23 community college and the director of each council of 3 24 governments described in section 28H.1 the report prepared 3 25 pursuant to this subsection, and the rules approved by the 26 commission and adopted by the department.

4. The local government innovation commission shall review 28 all local governance and revenue models submitted for 3 29 approval. The commission shall approve those local governance 3 30 and revenue models that, if implemented, would result in all 3 31 of the following:

a. Cost savings to citizens, in particular lowering of local government property taxes.

- b. Creation of, or inducement to create, high-wage, stable 35 employment opportunities for a local government's citizens and more effective leveraging of resources to improve competitive advantage.
 - c. Elimination of duplication of government administration.
 - d. More efficient delivery of services by government, including eliminating duplication of service delivery by more than one unit of government in the same area.
- e. Creation of a state=local partnership in one or more areas of service delivery and governance that would increase 4 10 quality and efficiency on the local level.
- A community=wide area seeking approval of a local 4 12 governance and revenue model shall complete an application 4 13 form designed by the local government innovation commission 14 which employs a return on investment concept and demonstrates 15 how the local governance and revenue model will result in 4 16 reduced local government or state general fund expenditures or 4 17 how local government fund revenues will increase without an 4 18 increase in state costs, how local government services will be 4 19 provided more efficiently or will be of increased quality 4 20 resulting in greater value from the expenditure of local 21 government revenues, and how the model develops partnerships 22 with the state to provide increased quality and efficiency on 4 23 the local level.

The local government innovation commission shall utilize 2.4 25 the department of management, the department of revenue, or 4 26 other sources of technical expertise designated by the 4 27 commission to certify savings projected for a proposed local 4 28 governance and revenue model.

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6. On or before January 1, 2008, the local government 4 30 innovation commission shall submit to the general assembly and 31 to the office of the governor recommendations for legislation 4 32 that would provide flexibility and freedom to local 4 33 governments in implementing governance and revenue models 34 submitted for review and approval to the local government 35 innovation commission.

Officials of a community=wide area that has approved at 2 election a local governance and revenue model may apply to the 3 local government innovation commission for a grant from the 4 local government innovation fund to implement all or a portion 5 of such governance and revenue model. Minimum requirements for local government grant requests shall be determined by the commission and adopted by rule by the department of 8 management.

NEW SECTION. 8.65 LOCAL GOVERNMENT INNOVATION Sec. 2. 10 FUND.

- 1. A local government innovation fund is created in the 12 state treasury under the control of the department of 13 management for the purpose of stimulating and encouraging 5 14 innovation in local government by providing moneys to 5 15 facilitate the process established in sections 8.64 and 8.66 16 and for the purpose of providing grants to assist in the 17 implementation of local governance and revenue models that 5 17 5 18 have been approved at election.
- 2. Notwithstanding section 12C.7, subsection 2, interest 20 or earnings on moneys deposited in the local government 5 21 innovation fund shall be credited to the local government 5 22 innovation fund. Notwithstanding section 8.33, moneys 23 appropriated to and moneys remaining in the local government 24 innovation fund at the end of a fiscal year shall not revert 5 25 to the general fund of the state.

26 Sec. 3. <u>NEW SECTION</u>. 8.66 COMMUNITY=WIDE MEETINGS 27 ECONOMIC DEVELOPMENT MISSION STATEMENT AND PLAN == LOCAL COMMUNITY=WIDE MEETINGS == 5 28 GOVERNANCE AND REVENUE MODELS.

- 1. On or before September 1, 2005, the president of each 30 community college, in conjunction with the director of the 5 31 council of governments located within the merged area, shall 32 initiate and coordinate a series of meetings of local 33 government officials within the merged area with economic 34 development entities located in the merged area, including 35 area chambers of commerce, and Iowa state university of 1 science and technology extension offices located in the merged area, and representatives of the following agencies or 3 departments of state government:
 - a. The office of attorney general.
 - b. The department of economic development.
 - The department of education. c.
 - The department of corrections.
 - The department of transportation. e.

If an area of the state is not represented by a council of 6 10 governments, an established organization operating in that 6 11 area that represents multigovernmental jurisdictions shall 12 serve as if it were the council of governments for that area.

For purposes of this section, "merged area" means a merged 6 14 area operating a community college as those terms are defined 6 15 in section 260C.2.

The purpose of the initial meeting organized under 2. . 6 17 subsection 1 is for the local government officials involved to 6 18 discuss economic development goals and activities. Each 6 19 community college shall make available to the participants in 6 20 the other merged areas a written summary of discussions at the 6 21 initial meeting. After the initial meeting, local governments 22 shall create community=wide areas based on common economic 6 23 development goals which areas may be other than those based on 6 24 the merged area boundaries. However, the resulting community= 25 wide areas shall be comprised of at least three contiguous 26 counties, which, if possible, are located within the same 6 27 council of governments area. Representatives of the community 28 colleges and councils of governments wholly or partially 29 located within the community=wide areas shall facilitate 6 30 subsequent meetings of the local government participants.

The local government officials in each community=wide area 31 32 shall develop a regional integrated economic development 33 mission statement, or shall affirm a regional integrated 34 economic development mission statement that has already been 35 developed for the area. After development of a mission 1 statement, the participants shall develop a regional 2 integrated economic development plan, or affirm an existing 3 plan, relating to one or more of the following areas:

- Regional marketing strategies.
- b. Development of the information solutions sector.
- c. Development of the advanced manufacturing sector.
- d. Development of the life sciences and biotechnology 8 sector.
- Development of the insurance or financial services e. 10 sector.
- f. Physical infrastructure including, but not limited to, 7 12 horizontal infrastructure, water and sewer infrastructure, and $7\ 13\ \text{telecommunications}$ infrastructure.
 - Entrepreneurship.

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- h. Tourism and recreation.
- 3. After the local participants have developed a regional 17 integrated economic development mission statement and plan, 7 18 the community college president, or the president's designee, 7 19 in conjunction with the councils of governments for the area, 20 shall facilitate the development of local governance and 21 revenue models which relate to, and center around, the common 22 economic development goals as expressed in the regional 23 integrated economic development mission statement and in the 24 regional integrated economic development plan for that 7 25 community=wide area. The local governance and revenue models 26 shall be designed to do all of the following:
 - 27 a. Provide cost savings to citizens, in particular 28 lowering of local government property taxes.
- b. Provide for creation of, or inducement to create, high= 30 wage, stable employment opportunities for a local government's 31 citizens and provide for more effective leveraging of 7 32 resources to improve competitive advantage.
 - c. Eliminate duplication of government administration.
 - 34 d. Deliver government services more efficiently, including 35 eliminating duplication of service delivery by more than one unit of government in the same area.
 - e. Propose creation of a state=local partnership in one or 3 more areas of service delivery and governance that would 4 increase quality and efficiency on the local level.
- If applicable, a governance and revenue model shall include 6 recommended legislation necessary to fully implement the 7 model. If a governance and revenue model proposes to adopt an 8 alternative form of county government or a consolidated 8 9 metropolitan corporation, the charter commission process and 8 10 election requirements of chapter 331, division II, part 2, and 8 11 chapter 373 shall not apply.
- 4. Each council of governments described in section 28H.1 8 13 shall, on or before September 1, 2006, provide a report 8 14 containing an assessment of the current local governance 8 15 structures and revenue systems to assist in development of 16 local governance and revenue models. The report shall include 8 17 assessments of services provided by each local government, 8 18 inventory and needs of infrastructure maintained by each local 8 19 government, cultural and fine arts resources assessments for 8 20 the area, housing assessment for the area, natural resources. 8 21 conservation, and recreational facilities in the area, current 8 22 sharing agreements to which a local government is a party, an 23 assessment of the state's role in providing local government 8 24 services within the area, and recommendations relating to 8 25 alternative service delivery options.
- 5. At the series of meetings organized under subsection 1, 8 27 the community college president, or the president's designee, 8 28 shall inform, and review with, the participants the local $8\ 29$ governance and revenue models review process adopted by the 30 local government innovation commission.
 - On or before September 1, 2007, each community=wide 32 area participating in the series of meetings organized under 33 subsection 1 shall submit its local governance and revenue 34 model to the local government innovation commission for review 35 and approval. The local government innovation commission shall, by June 1, 2008, complete its review of all local governance and revenue models submitted for approval. 3 commission does not approve a local governance and revenue 4 model, the commission shall notify the local government 5 officials in the community=wide area, the appropriate 6 community college president, the appropriate council of governments, and any other participants listed in subsection
 - 1. The commission shall specify the reasons for rejecting the proposed local governance and revenue model. The participants 10 involved in developing the local governance and revenue model 11 shall reconvene to develop an amended model and shall submit 12 the amended model to the commission for review.
 - 7. Local governance and revenue models shall be submitted 14 to the electorate at the general election in 2008 or 2010 or

9 15 at a special election called for that purpose. 9 16 governance and revenue model is deemed adopted if it receives 9 17 a favorable majority of the votes cast on the proposition in 9 18 the community=wide area. If a model is rejected by the 9 19 voters, the local governments, merged area, and council of 9 20 governments involved in development of the model shall 21 reconvene to amend the model. The amended model shall be 22 submitted to the local government innovation commission for 23 review. If the amended model is not approved by the 9 24 commission, the participants shall repeat the process in 9 25 subsection 6. If approved by the commission, the amended 9 26 model shall be submitted to the voters. 9 27

8.67 INTENT. Sec. 4. <u>NEW SECTION</u>. 28 1. It is the intent of the general assembly to enact 29 legislation to provide the flexibility and freedom to local 9 30 governments necessary to implement governance and revenue 31 systems developed as models and submitted to the local 32 government innovation commission. Local governments are 9 33 encouraged to consider innovative approaches to government 34 administration, and funding and delivery of local government 35 services when developing governance and revenue models.

1 2. It is further the intent of the general assembly to

enact legislation combining state grant and loan programs operated by different state agencies into one grant and loan program allowing local governments to combine funds from the 5 different state programs in order to allow community=wide 6 areas to address high priority needs, stimulate creative problem solving, and better respond to citizens. Accountability and performance measures shall be included in

9 the legislation. 10 10 3. It is further the intent of the general assembly to 10 11 reward those community=wide areas that have implemented a 10 12 local governance and revenue system pursuant to sections 8.64 10 13 through 8.66 by enacting legislation that would provide

10 14 freedom and flexibility relating to compliance with state 10 15 mandates and rules of state agencies relating to local 10 16 governments. Accountability and performance measures shall be

10 17 included in the legislation.

4. It is further the intent of the general assembly that 10 19 sharing agreements in effect on the effective date of this 10 20 Act, and that will be in effect for the five years following 10 21 the effective date of this Act, shall also be eligible for 10 22 flexibilities and freedoms enacted by the general assembly 10 23 pursuant to subsection 1, if such agreements meet one or more 10 24 of the results specified in section 8.66, subsection 3. 10 25 Sec. 5. NEW SECTION. 8.68 RECEIPTS RESTRICTED TO

10 26 COMMUNITY=WIDE AREAS WITH APPROVED LOCAL GOVERNANCE AND

10 27 REVENUE MODEL.

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Notwithstanding any provision of law to the contrary, as of 10 29 July 1, 2011, only those community=wide areas that have 10 30 approved at election a local governance and revenue model are 10 31 eligible to receive moneys appropriated by the general 10 32 assembly for disbursement to local governments; to receive 10 33 moneys, from any source, otherwise allocated to local 34 governments by statute; or to receive grant moneys, loans, 10 35 reimbursements, or other financial assistance from funds 1 created by statute unless the grant, loan, reimbursement, or other financial assistance was approved for distribution prior to July 1, 2011.

This section does not apply to grants, loans, 5 reimbursements, or other financial assistance provided by the 6 department of economic development if the manner in which the grant, loan, reimbursement, or other financial assistance is 8 utilized by the recipient is directly related to jobs 9 creation. This section also does not apply to distribution of 11 10 moneys originating from the grow Iowa values fund created in

11 11 section 15G.108, if enacted. 11 12 Sec. 6. <u>NEW SECTION</u>. 26 262.102 IOWA CENTER FOR GOVERNING 11 13 EXCELLENCE.

- The board of regents shall establish an Iowa center for 11 15 governing excellence in the public policy and administration 11 16 program of the department of political science at Iowa state 11 17 university of science and technology. The purpose of the Iowa 11 18 center for governing excellence is to do all of the following:
- a. Enhance the accountability, effectiveness, and 11 20 efficiency of Iowa's local governments and state agencies by 11 21 providing objective and nonpartisan research and training 11 22 support for policymakers and government officials.
- 11 Integrate the research capacities of the universities 11 24 under the board's control and of organizations representing 11 25 local governments to support management and policy research.

11 26 Facilitate dialogues among Iowa's state agencies and 11 27 local governments, regents universities, organizations 11 28 representing local governments, and citizens on government 11 29 policy design, implementation, and evaluation. 11 30 2. The president of Iowa state university, in consultation

11 31 with the president of the university of Iowa and the president 11 32 of the university of northern Iowa, shall employ a full=time 33 director and administrative assistant at the center. Each 11 34 regents university shall provide funding or commit staff to 11 35 the center for governing excellence. Clerical staff shall be 12 1 provided to the center by the office of state and local 2 government programs at Iowa state university.

3. The center may solicit, accept, and administer moneys 4 contributed to the center by any source, and may enter into 5 contracts with public or private agencies in order to carry

6 out its purposes.

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4. The center shall submit an annual report of the 8 activities of the center to the governor and to the general 9 assembly as provided in section 7A.11A by January 15 of each 12 10 year.

262.103 COORDINATING COUNCIL Sec. 7. NEW SECTION. 12 12 CREATED.

- 1. a. A coordinating council is created to oversee and 12 14 direct the activities of the Iowa center for governing excellence.
 - b. The following members of the coordinating council shall
- 12 17 be appointed by the board of regents: 12 18 (1) A representative of the offic (1) A representative of the office of state and local 12 19 government programs at Iowa state university of science and 12 20 technology.
- 12 21 (2) A representative 12 22 the university of Iowa. (2) A representative of the institute of public affairs at
- (3) A representative of the state and local government 12 24 programs at the university of northern Iowa. 12 25 (4) A representative of the Iowa league
- (4) A representative of the Iowa league of cities.(5) A representative of the Iowa state association of 12 27 counties.
- (6) A representative of the association of municipal 12 29 utilities.
 - (7) A city administrator or city manager.
 - (8) A county administrator or county manager.(9) An elected city official.
- (10) An elected county official.
 c. The following persons shall also be members of the 12 35 coordinating council:
 - (1) A representative of the office of governor appointed 2 by the governor.
 - (2) The director of the department of management or the 4 director's designee.
 - (3) The director of the department of revenue or the 6 director's designee.
 - (4) The auditor of state or the auditor of state's 8 designee.
- (5) The director of the legislative services agency or the 13 10 director's designee as a nonvoting member.
- 13 11 2. The coordinating council shall oversee the operations 13 12 of the Iowa center for governing excellence and shall make 13 13 decisions regarding research and training activities conducted 13 14 by the center

Sec. 8. APPROPRIATIONS.

1. There is appropriated from the general fund of the 13 17 state to Iowa state university of science and technology for 13 18 the fiscal year beginning July 1, 2005, and ending June 30, 13 19 2006, the following amount, or so much thereof as is 13 20 necessary, to be used for the purposes designated:

For operation and staffing of the Iowa center for governing 13 21 13 22 excellence:

13 23 2. There is appropriated from the general fund of the 13 24 13 25 state to the department of management for the fiscal year 13 26 beginning July 1, 2005, and ending June 30, 2006, the 13 27 following amount, or so much thereof as is necessary, to be

13 28 used for the purposes designated: For operation and staffing of the local government 13 30 innovation commission:

13 31 13 32 Funds appropriated under this subsection shall also be used 13 33 to reimburse local government officials, community colleges, 13 34 and councils of governments for expenses incurred in

13 35 conducting meetings pursuant to section 8.66.

3. Notwithstanding section 8.33, moneys appropriated in

2 this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 9. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment. EXPLANATION

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This bill makes changes relating to local government innovation.

The bill creates the local government innovation commission in the department of management. Members of the commission 14 13 represent the executive branch, county and city governments, 14 14 community colleges, councils of governments, the homeland 14 15 security and emergency management division of the Iowa 14 16 department of public defense, the department of economic 14 17 development, and the general public. Four members of the 14 18 general assembly are appointed as nonvoting members of the 14 19 commission. The commission is to approve rules relating to 14 20 review of local governance and revenue models.

The bill also creates a local government innovation fund 14 22 for the purpose of providing moneys to facilitate the meetings 14 23 of local government officials in developing a regional 14 24 integrated economic development statement and plan and in 14 25 developing local governance and revenue models. The fund is 14 26 also to be used for providing grants to community=wide areas 14 27 to assist in the implementation of local governance and 14 28 revenue models that have been approved at election by the 14 29 voters of a community=wide area. The bill appropriates 14 30 \$760,000 for the 2005=2006 fiscal year to the department of 14 31 management for the purpose of operating and staffing the local 14 32 government innovation commission and to reimburse local 14 33 government officials, community colleges, and councils of 14 34 governments for expenses incurred in conducting the series of 14 35 meetings required by the bill.

The bill requires the president of each community college in conjunction with the director of the council of governments 3 located within the community college area, to initiate and 4 coordinate a series of meetings on or before September 1, 5 2005, with local government officials and economic development 6 entities in the community college area, and representatives of state government. The purpose of the initial meeting is to 8 discuss economic development goals and activities in the area. 9 The bill further requires that, after the initial meeting, the 15 10 local governments are to create community=wide areas that 15 11 share common economic development goals in order to develop a 15 12 regional integrated economic development mission statement and 15 13 plan for the area. The officials within the community=wide 15 14 area are to also develop a local governance and revenue model 15 15 for the area. The bill requires councils of governments for 15 16 each area to provide a report on or before September 1, 2006, 15 17 containing a local government assessment for each community= 15 18 wide area.

The bill provides that, on or before September 1, 2007, 15 20 each local governance and revenue model is to be submitted to 15 21 the local government innovation commission for review. 15 22 approved by the commission, the model is to be submitted to 15 23 the electorate in the community=wide area at the general 15 24 election in 2008 or 2010 or at a special election called for 15 25 that purpose.

The bill contains intent language regarding future action 15 27 of the general assembly pertaining to encouraging local 15 28 government innovation.

The bill provides that, as of July 1, 2011, only those 15 29 15 30 community=wide areas that have approved at election a local 15 31 governance and revenue model are eligible to receive certain 15 32 disbursements or allocations of public moneys from the state 15 33 or to receive grants, loans, reimbursements, or other 15 34 financial assistance from funds created by statute unless such 15 35 financial assistance was approved for distribution prior to 1 July 1, 2011. However, this does not apply to financial 2 assistance provided by the department of economic development if the manner in which the financial assistance is utilized by 4 the recipient is directly related to jobs creation. It also 5 does not apply to distribution of moneys originating from the grow Iowa values fund, if enacted.

16 The bill directs the state board of regents to establish 16 8 the Iowa center for governing excellence in the public policy 9 and administration program of the department of political 16 16 16 10 science at Iowa state university. The bill provides that the 16 11 purpose of the center for governing excellence is to provide 16 12 objective and nonpartisan research and training for

16 13 policymakers and government officials; to integrate the
16 14 research capacities of Iowa state university, the university
16 15 of Iowa, and the university of northern Iowa; and to
16 16 facilitate dialogues among Iowa's state agencies, local
16 17 governments, regents universities, and citizens on government
18 policy design, implementation, and evaluation. The bill
19 provides that the activities of the Iowa center for governing
16 20 excellence shall be directed and supervised by a coordinating
16 21 council comprised of representatives of the three state
16 22 universities, organizations representing certain local
16 23 governments, local officials, and representatives of certain
16 24 executive branch offices and the legislative services agency.
16 25 The bill appropriates \$140,000 to Iowa state university for
16 26 operation and staffing of the Iowa center for governing
16 27 excellence for the 2005=2006 fiscal year.
16 28 The bill takes effect upon enactment.
16 29 LSB 3606XC 81
16 30 sc:rj/cf/24